

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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EARNEST L. PHILLIPS,

Plaintiff,

v.

JONATHAN COOPER, et al.,

Defendant.

Case No. 2:14-cv-01973-APG-NJK

**ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION**

(Dkt. ##11, 17)

On May 13, 2015, Magistrate Judge Koppe entered her Report and Recommendation recommending dismissal of Plaintiff's claims without prejudice. (Dkt. #17.) No objection has been filed to that Report and Recommendation. I am not required to conduct "any review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (Based on *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any issue that is not the subject of an objection."). Because there is no objection to the magistrate judge's recommendation, I may accept the recommendation without review.

Nevertheless, I have reviewed the issues set forth in the Report and Recommendation. Judge Koppe's Report and Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. Therefore,

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1 IT IS HEREBY ORDERED that the Report and Recommendation is accepted, Plaintiff's  
2 Application to Proceed *In Forma Pauperis* is DENIED, and this case is DISMISSED. The clerk  
3 of the court shall enter Judgment accordingly.

4 Dated: June 3, 2015.

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE  
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